

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEROME ROMAN,

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Plaintiff, :

-against-

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1:17-CV-2697 (ALC)

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**ORDER ADOPTING REPORT AND
RECOMMENDATION**

THE CITY OF NEW YORK, et al,

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Defendants. :

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ANDREW L. CARTER, JR., United States District Judge:

Plaintiff Jerome Roman (“Plaintiff”) filed this action against Defendants the City of New York, New York Police Department (“NYPD”) Detective David Terrell, and NYPD Officers Wilfredo Benitez, Gilberto Rodriguez, Yadarquis Molina, and Corey Wooten. (ECF No. 1). On May 5, 2018, Plaintiff filed an amended complaint asserting claims against the Detective and Officers for false arrest, malicious prosecution, and denial of fair trial, and alleging *Monell* claims against the City of New York. (ECF No. 32). On May 14, 2019, Defendants filed a motion for summary judgment. (ECF No. 73). Subsequently, this motion was referred to Magistrate Judge Sarah Netburn. (*See* Order of Reference, ECF No. 82).

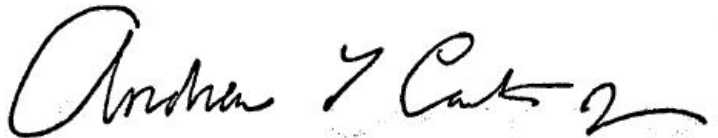
On February 4, 2020, Judge Netburn filed a Report and Recommendation (the “Report”), recommending Defendants’ motion for summary judgment be granted in its entirety. *See* Report, ECF No. 83.

The Report notified the parties of the right to object within 14 days from service. *See id.* at 22. However, no objections were filed. Where, as here, no objections are filed, the Court reviews the Report for clear error. *See Patterson v. Rock*, 2012 WL 3245489, *1 (S.D.N.Y. Aug. 3, 2012); *see also Graves v. Correctional Medical Service*, 667 Fed.Appx. 18, 19 (2d Cir. 2016) (quoting *United States v. Male Juvenile*, 121 F.3d 34, 38 (2d Cir. 1997)) (In the Second Circuit, “failure to object timely to a magistrate judge’s report may operate as a waiver of any further judicial review of the decision, as long as the parties receive clear notice of the consequences of their failure to object.”).

The Court finds no clear error in the record and adopts Judge Netburn’s Report in its entirety. Accordingly, Defendants’ motion for summary judgment is GRANTED.

SO ORDERED.

Dated: March 29, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge